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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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07/31/2000

Michael K. Hargens

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06/15/2006

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EXAMINER

BOUTAH, ALINA A

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/628,831

Applicant(s)

HARGENS ET AL.

Examiner

Alina N Boutah

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 100-119 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 100-119 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

This action is in response to Applicant's amendment filed March 23, 2006. Claims 100-119 are pending in the present application.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 100-119 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPAP 2002/0046255 issued to Moore et al. (hereinafter referred to as Moore).

Regarding claim 100, Moore teaches a method of providing communication accounts to end-users from a plurality of web sites, the method comprising:

in a first one of the web-sites, interacting with a first one of the end-users over the internet, and in response, transferring a first communication account request over the internet to an account server [0010; 0016];

in the account server, validating the first website in response to receiving the first communication account request, selecting a first account code for the first end-user in response

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to validating the first web site, and transferring the first account code over the internet to the first web site [0006; 0031-0032; 0038];

in the first web-site, transferring the first account code over the internet to the first end-user wherein the first end user uses the first account code to obtain a first communication service from a communication service provider [figures 2 and 3; 0012; 0014; 0015; 0017] .

Although Moore does not explicitly teach a second one of the web-sites interacting with second one of the end-users, he teaches providing communication accounts to end-users from multiple web sites (Moore: figure 1, 0005, 0027, 0029). One of ordinary skill in the art would have recognized that the second web-site is identical to that of first web-site.

Regarding claim 101, Moore teaches the method of claim 100 wherein the communication service comprises a prepaid communication service [abstract].

Regarding claim 102, although Moore does not explicitly teaches the method of claim 100 wherein the communication service is a wireless communication service, it would have been obvious to one of ordinary skill in the art that the teaching of Moore can be easily applied to wireless communication as well as wired.

Regarding claim 103, Moore teaches the method of claim 100 wherein the communication service comprises an internet access service [0044].

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Regarding claim 104, Moore teaches the method of claim 100 wherein the first account code comprises a personal identification number (PIN) [figure 2].

Regarding claim 105, Moore teaches the method of claim 100 wherein the first account code comprises a password [figure 2].

Regarding claim 106, Moore teaches the method of claim 100 wherein the first communication account request identifies the first end-user and the second communication account request identifies the second end-user [0005].

Regarding claim 107, Moore teaches the method of claim 100 wherein the first communication account request identifies a first monetary amount and the second communication account request identifies a second monetary amount [0046].

Regarding claim 108, Moore teaches the method of claim 100 further comprising, in the account server, selecting a first monetary amount for the first account code and selecting a second monetary amount for the second account code [0046].

Regarding claim 109, the Moore teaches the method of claim 100 further comprising, in the account server, selecting a first time amount for the first account code and selecting time amount for the second account code [0046].

Claims 110-119 are similar to claims 100-109 therefore is rejected under the same rationale.

***Response to Arguments***

Applicant's arguments have been considered but are not found persuasive.

In response to Applicant's argument that Moore does not teach or disclose "in a first one of the web-sites... transferring a first communication account request over the internet to an account server" as claimed, the PTO respectfully submits that this is being taught in the cited area of Moore above. Paragraph 0005, for example discloses a prepaid calling cards, typically used by PSTN subscribers to place calls. The user of the prepaid calling cards initiates a phone call by calling a signaling agent, such as a communications station or server. The signaling agent then performs validation. Paragraph 0010, further discloses the calling card being accessed by the signaling agent's web site for additional purchase by entering payment information. In this case, the access of the signaling agent's web site is interpreted as "in a first one of the web-sites," and the signaling agent's processing the user's information is interpreted as "transferring a first communication request over the internet to an account server" as claimed.

In response to Applicant's argument that Moore fails to teach "validating the first web site in response to receiving the first communication request," as cited above, the signaling agent's validation of user's information is interpreted as the claimed invention.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., separate account server) are not recited in the rejected claim(s). Although the claims are interpreted in

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light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to Applicant's argument that Moore fails to teach "validating the first web site in response to receiving the first communication request," as cited above, the signaling agent's validation of user's information is interpreted as the claimed invention.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

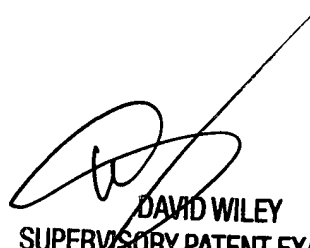
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*ANB*

ANB

  
DAVID WILEY  
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